

REMARKS

The Office Action dated November 28, 2008, has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

By this Response, claims 1 and 49-50 have been amended to more particularly point out and distinctly claim the subject matter of the present invention. No new matter has been added and no new issues are raised which require further consideration and/or search. Accordingly, claims 1-23 and 41-54 are currently pending in the application, of which claims 1, 14, 41, 45, and 49-54 are independent claims. Applicant requests entry of the above amendments because the above amendments place the claims in better condition for allowance.

In view of the above amendments and the following remarks, Applicant respectfully requests reconsideration and timely withdrawal of the pending rejections to the claims for the reasons discussed below.

Claim Rejections under 35 U.S.C. § 101

The Office Action rejected claims 49-50 under 35 U.S.C. §101 as allegedly directed to non-statutory subject matter. The Office Action alleged that claims 49-50 lack a proper preamble for a computer readable medium claim.

Accordingly, Applicant has amended claims 49-50 to recite, "A computer program product embodied on a computer readable medium, the computer program product being

configured to control a processor to perform a method comprising,” rendering the rejections of claims 49-50 moot.

Therefore, Applicant respectfully requests withdrawal of the rejections of claims 49-50 under 35 U.S.C. §101, and respectfully submits that claims 49-50 are now in condition for allowance.

Claim Rejections under 35 U.S.C. §102(b)

The Office Action rejected claims 41 and 43-54 under 35 U.S.C. §102(b) as allegedly anticipated by Kennedy, *et al.* (U.S. Patent No. 6,018,657) (“Kennedy”). The Office Action alleged that Kennedy teaches or suggests each and every claim element recited in claims 41 and 43-54. Applicant respectfully submits that the claims recite subject matter that is neither disclosed nor suggested in Kennedy.

Applicant notes that the Office Action rejected claim 48 under 35 U.S.C. §102(b) based on the teachings of Kennedy, however, no rejections based on the teachings of Kennedy were presented in the Office Action (See Office Action on pages 4-6). Therefore, the Office Action is incomplete, and thus Applicant requests a new Office Action either presenting a rejection for the features recited in claim 48, or indicating the allowability of claim 48.

Claim 41, upon which claims 42-44 depend, recites an apparatus. The apparatus includes a processor. The processor is configured to process data related to sending a message including information to identify a first network access entity to a second

network access entity which enables the second network access entity to direct traffic to the first network access entity. A global address of the first network access entity is not known to the apparatus.

Claim 45, upon which claims 46-48 depend, recites an apparatus. The apparatus includes a processor configured to process data related to sending a message including information to identify a second network access entity to a first network access entity, which enables the first network access entity to direct traffic to the second network access entity. A global address of the second network access entity is not known to the apparatus.

Claim 49 recites a computer program product embodied on a computer readable medium. The computer program product is configured to control a processor to perform a method. The method includes forming a message which enables a second network entity to direct traffic destined to a first network entity. A global address of the first network access entity is not known to a mobile entity. The method further includes sending the message including information to identify the first network access entity from the mobile entity to the second network access entity.

Claim 50 recites a computer program product embodied on a computer readable medium. The computer program product is configured to control a processor to perform a method. The method includes forming a message which enables a first network entity to direct traffic destined to a second network entity. A global address of the first network access entity is not known to a mobile entity. The method further includes sending the

message including information to identify the second network access entity from the mobile entity to the first network access entity.

Claim 51 recites an apparatus. The apparatus includes a processor. The processor is configured to process a received message from a mobile entity. The message includes information to identify a second network access entity to the first network access entity. A global address of the second network access entity is not known to the mobile entity. The processor is further configured to use the message to direct traffic to the second network access entity.

Claim 52 recites an apparatus. The apparatus includes forming means for forming a message including information for identifying a first network access entity to the second network access entity which enables the second network access entity to direct traffic to the first network access entity. A global address of the first network access entity is not known to the apparatus. The apparatus further includes sending means for sending the message.

Claim 53 recites an apparatus. The apparatus includes forming means for forming a message including information for identifying a second network access entity to a first network access entity, which enables the first network access entity to direct traffic to the second network access entity. A global address of the second network access entity is not known to the apparatus. The apparatus further includes sending means for sending the message.

Claim 54 recites an apparatus. The apparatus includes receiving means for receiving a message from a mobile entity. The message includes information for identifying a second network access entity to the first network access entity. A global address of the second network access entity is not known to the mobile entity. The apparatus further includes traffic directing means for using the message to direct traffic to the second network access entity.

As will be discussed below, Kennedy fails to disclose or suggest each and every element recited in claims 41, 43-47, and 49-54, and therefore fails to provide the features discussed above.

Kennedy is directed to a system and method for communicating a message using a cellular telephone network that provides communication services to message units. A network central controller or gateway MSC couple the cellular telephone network to external devices. The communication system allows message between messaging units and between messaging units and external devices (Kennedy, Abstract; col. 1, line 40, to col. 3, line 5).

Applicant respectfully submits that Kennedy fails to teach or suggest each and every element recited in claims 41, 45, and 49-54. In particular, Kennedy fails to teach or suggest, at least, “a processor, wherein the processor is configured to process data related to sending a message including information to identify a first network access entity to a second network access entity which enables the second network access entity to direct

traffic to the first network access entity, wherein a global address of the first network access entity is not known to the apparatus,” as recited in claim 41 (emphasis added).

Rather, Kennedy describes a message sent from an originating external device 18 to a destination messaging unit 14 (Kennedy, col. 10, lines 16-27, Figure 4). In particular, the originating external device 18 sends a message to a gateway MSC. The message contains message data for delivery to the destination messaging unit 14. If this gateway MSC does not service the destination messaging unit 14, it retrieves an identifier for a next MSC of the destination messaging unit 14 from its database.

The Office Action cited the originating external device 18, the gateway MSC, and the next MSC, as described in Kennedy, to allege that Kennedy teaches the processor of the apparatus, the second network access entity, and the first network access entity, respectively, recited in claim 41.

Kennedy teaches that the message sent from the originating external device 18 only contains information regarding the destination messaging unit 14 (Kennedy, col. 10, lines 19-21). In particular, the originating external device 18 only includes the address DEST MIN (Kennedy, Figure 3, message 32), which is the address of the destination messaging unit 14. Hence, there is no information indicating the next MSC (first network access entity).

By contrast, in case the gateway MSC is not currently serving the destination messaging unit 14, the gateway MSC sends a remote message to the next MSC without

knowing whether the next MSC actually serves the destination messaging unit 14 or not. Thus, a serving MSC is determined by guessing, as illustrated in Figure 4.

Alternatively, assuming that the Office were to consider the destination messaging unit 14, and not the next MSC, as the first network access entity recited in claim 41, Applicant notes that the destination messaging unit 14 is a device that can only communicate information within a cellular telephone network to provide inbound/outbound messaging, which is clearly different from a network access entity.

Therefore, Kennedy fails to disclose or suggest, at least, “a processor, wherein the processor is configured to process data related to sending a message including information to identify a first network access entity to a second network access entity which enables the second network access entity to direct traffic to the first network access entity, wherein a global address of the first network access entity is not known to the apparatus,” as recited in claim 41 (emphasis added).

Claims 45, 49-50, and 53-53 each have their own claim scope, but also contain limitations similar to those discussed above for claim 41. Accordingly for similar reasons discussed above for claim 41, Applicant respectfully submits that Kennedy fails to disclose or suggest each and every element recited in claims 45, 49-50, and 52-53.

The claim scope of claims 51 and 54 relate to the first network access entity, but also contain limitations similar to those discussed above for claim 41. Accordingly for similar reasons discussed above for claim 41, Applicant respectfully submits that Kennedy fails to disclose or suggest each and every element recited in claims 51 and 54.

Accordingly, Kennedy fails to disclose or suggest each and every element recited in claims 41, 45, and 49-54.

Claims 43-44 depend from claim 41. Claims 46-48 depend from claim 45. Accordingly, claims 43-44 and 46-48 should be allowable for at least their dependency upon an allowable base claim, and for the specific limitations recited therein. Further, as noted above, the Office Action failed to provide rejections for the features recited in claim 48.

Therefore, Applicant respectfully requests withdrawal of the rejections of claims 41 and 43-54 under 35 U.S.C. §103(a), and respectfully submits that claims 41, 45, and 49-54, and the claims that depend therefrom, are now in condition for allowance.

Claim Rejections under 35 U.S.C. §103(a)

Claims 1 and 3-23

The Office Action rejected claims 1 and 3-23 under 35 U.S.C. §103(a) as being allegedly unpatentable over Bhagwat, *et al.* (U.S. Patent No. 6,651,105) (“Bhagwat”) in view of de Gregorio, *et al.* (U.S. Publication No. 2007/0127495) (“Gregorio”). Applicant respectfully submits that the claims recite subject matter that is neither disclosed nor suggested in the combination of Bhagwat and Gregorio.

Applicant notes that the Office Action rejected claims 4 and 14 under 35 U.S.C. §103(a) based on the teachings of Bhagwat and Gregorio, however, no rejections based on the teachings of Bhagwat and Gregorio were presented in the Office Action (See

Office Action on pages 6-8). Therefore, the Office Action is incomplete, and thus Applicant requests a new Office Action either presenting a rejection for the features recited in claims 4 and 14, or indicating the allowability of claims 4 and 14.

Claim 1, upon which claims 2-13 depend, recites a method. The method includes sending a message including information for identifying a first network access entity from a mobile entity to a second network access entity. A global address of the first network access entity is not known to the mobile entity. The method further includes handing over a connection of the mobile entity from the first network access entity to the second network access entity. The message is configured to enable the second network access entity to direct traffic destined to the first network access entity.

Claim 15, upon which claims 16-23 depend, recites a method. The method includes forming a message for handing over a connection of a mobile entity from a first network access entity to a second network access entity. A global address of the second network access entity is not known to the mobile entity. The method further includes sending the message including information for identifying the second network access entity from the mobile entity to the first network access entity. The message enables the first network access entity to direct traffic to the second network access entity.

As will be discussed below, the combination of Bhagwat and Gregorio would fail to disclose or suggest each and every element recited in claims 1 and 3-23, and therefore fails to provide the features discussed above.

Bhagwat is directed to a method for networking support for mobile devices using serial communications. Bhagwat teaches that a mobile device roams securely and seamlessly from one access point to another access point (Bhagwat, Abstract; col. 3, line 29, to col. 4, line 4).

Gregorio is directed to a single sign-on for users of a packet radio network roaming in a multinational operator network (Gregorio, Abstract; paragraphs [0016]-[0047]).

Assuming *arguendo* that the teachings of Bhagwat and the teachings of Gregorio could be combined, the combination of Bhagwat and Gregorio would fail to teach or suggest each and every element recited in claims 1 and 15. In particular, the combination of Bhagwat and Gregorio would fail to teach or suggest, at least, “sending a message including information for identifying a first network access entity from a mobile entity to a second network access entity, wherein a global address of the first network access entity is not known to the mobile entity,” as recited in claim 1 (emphasis added), and similarly recited in claim 15.

Rather, Bhagwat provides for a mobile device to roam securely without disrupting an active PPP connection, either roaming through the range of multiple access points or roaming seamlessly from access point to another access point (Bhagwat, col. 9, lines 43-50, and col. 14, lines 10-13). As illustrated in Figure 5, a handover operation for the mobile device is described in column 8, line 65, to column 9, line 5, and further in

column 10, lines 43-47. However, Bhagwat fails to teach or suggest that a global address of one of the access points is unknown to the mobile entity.

Hence, Bhagwat may describe a handover operation, but fails to teach or suggest that information for identifying an access point, for which a global address of the access point is unknown, is sent to another access point. One of ordinary skill in the art would have understood that the teachings of Bhagwat would not have considered such a feature because all the global addresses described in Bhagwat are known.

The Office Action alleged that Gregorio cures the deficiencies of Bhagwat, citing paragraph [0077]. However, a review of this passage in relation to the entire teachings of Gregorio demonstrates that Gregorio fails to cure the deficiencies of Bhagwat.

Rather, Gregorio, in paragraph [0077], describes how a user may access home or external services through a web browser when an incoming IP connection is received from the user in the Multinational Mobile Network Operator (MN-MNO) Global Service Network. A determination is made as to whether the user is trusted, *e.g.*, has been previously authenticated, and has an active session running. However, Gregorio, in paragraph [0077] fails to mention whether a global address of an access entity is unknown to the user. Only the IP address of the user is mentioned. None of the other access entities are involved. In fact, Gregorio does not even mention a handover operation.

In the *Response to Arguments*, the Office Action also alleged that Figure 2 teaches the aforementioned claim features recited in claims 1 and 15. Applicant respectfully

disagrees. Rather, Gregorio, as described in paragraph [0069], describes that in a roaming case, the AAA in the visited network (V-AAA) determines the address of the AAA in the home network of the user (H-AAA) by referring to a global directory.

However, Applicant notes that the H-AAA cannot be compared to a network access entity, since it provides no access to the network, rather it carries out authentication procedures. Moreover, the H-AAA is uniquely defined for the particular user, since it is the AAA provided in the home network. Whereas, the network access entities, as defined at least in claims 1 and 15, vary arbitrarily depending on how the user moves.

Thus, Gregorio fails to cure the deficiencies of Bhagwat. Thus, even assuming *arguendo* that the teachings of Bhagwat could be combined with the teachings of Gregorio, the combination of Bhagwat and Gregorio would only provide, in a roaming case, one of the access entities, as described in Bhagwat, may contact an AAA or another network element in the home network of the user. Neither Bhagwat nor Gregorio teach or suggest why the global address of the other network access entity involved should be obtained.

Accordingly, the combination of Bhagwat and Gregorio fail to disclose or suggest each and every element recited in claims 1 and 15.

Claims 3-14 depend from claim 1. Claims 16-23 depend from claim 15. Accordingly, claims 3-14 and 16-23 should be allowable for at least their dependency upon an allowable base claim, and for the specific limitations recited therein. Further, as

noted above, the Office Action failed to provide rejections for the features recited in claims 4 and 14.

Therefore, Applicant respectfully requests withdrawal of the rejections of claims 1 and 3-23 under 35 U.S.C. §103(a), and respectfully submits that claims 1 and 15, and the claims that depend therefrom, are now in condition for allowance.

Claim 2

The Office Action rejected claim 2 under 35 U.S.C. §103(a) as being allegedly unpatentable over Bhagwat in view of Gregorio, as applied to claims 1 and 41, and further in view of Takusagawa, *et al.* (U.S. Publication No. 2003/0225892) (“Takusagawa”). Applicant respectfully submits that the claims recite subject matter that is neither disclosed nor suggested in the combination of Bhagwat, Gregorio, and Takusagawa.

Bhagwat and Gregorio were discussed above. Takusagawa is directed to a handover method in a mobile communications system and a router device in the mobile communications system (Takusagawa, Abstract):

As previously noted above, the combination of Bhagwat and Gregorio would fail to disclose or suggest each and every element recited in claim 1. Takusagawa fails to cure the deficiencies of Bhagwat and Gregorio. In particular, Takusagawa fails to teach or suggest, at least, “sending a message including information for identifying a first network access entity from a mobile entity to a second network access entity, wherein a

global address of the first network access entity is not known to the mobile entity,” as recited in claim 1 (emphasis added).

Accordingly, the combination of Bhagwat, Gregorio, and Takusagawa would fail to disclose or suggest each and every element recited in claim 1. Claim 2 depends from claim 1. Accordingly, claim 2 should be allowable for at least its dependency upon an allowable base claim, and for the specific limitations recited therein.

Therefore, Applicant respectfully requests withdrawal of the rejection of claim 2 under 35 U.S.C. §103(a), and respectfully submits that claim 1, and the claims that depend therefrom, are now in condition for allowance.

Claim 42

The Office Action rejected claim 42 under 35 U.S.C. §103(a) as being allegedly unpatentable over Kennedy, as applied to claim 41, and further in view of Takusagawa. Applicant respectfully submits that the claims recite subject matter that is neither disclosed nor suggested in the combination of Kennedy and Takusagawa.

Kennedy and Takusagawa were discussed above.

As previously noted above, Kennedy fails to disclose or suggest each and every element recited in claim 41. Takusagawa fails to cure the deficiencies of Kennedy. In particular, Takusagawa fails to teach or suggest, at least, “a processor, wherein the processor is configured to process data related to sending a message including information to identify a first network access entity to a second network access entity

which enables the second network access entity to direct traffic to the first network access entity, wherein a global address of the first network access entity is not known to the apparatus,” as recited in claim 41 (emphasis added).

Accordingly, the combination of Kennedy and Takusagawa would fail to disclose or suggest each and every element recited in claim 41. Claim 42 depends from claim 41. Accordingly, claim 42 should be allowable for at least its dependency upon an allowable base claim, and for the specific limitations recited therein.

Therefore, Applicant respectfully requests withdrawal of the rejection of claim 42 under 35 U.S.C. §103(a), and respectfully submits that claim 41, and the claims that depend therefrom, are now in condition for allowance.

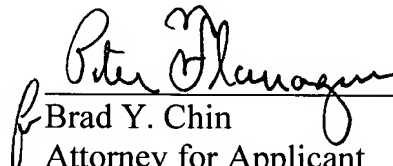
CONCLUSION

In conclusion, Applicant respectfully submits that Kennedy, Bhagwat, Gregorio, and Takusagawa, whether taken individually or in combination, fail to disclose or suggest each and every element recited in claims 1-23 and 41-54. The distinctions previously noted are more than sufficient to render the claimed invention unanticipated and non-obvious. It is therefore respectfully requested that all of claims 1-23 and 41-54 be allowed, and this present application be passed to issuance.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, Applicant's undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

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